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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/512,968 02/24/00 HEMBREE

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021567 MMC1/0626  
WELLS ST JOHN ROBERTS GREGORY AND MATKIN  
SUITE 1300  
601 W FIRST AVENUE  
SPOKANE WA 99201-3828

EXAMINER

NGUYEN, V

ART UNIT

PAPER NUMBER

2858

DATE MAILED:

06/26/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/512,968

Applicant(s)

HEMBREE, DAVID R.

Examiner

VINH P NGUYEN

Art Unit

2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2001.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13, 18-26 and 53-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13, 18-26 and 53-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

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1. Claims 1-13, 18-26 and 53-61 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

It appears that the specification does not have support for the limitations of "to expose the wafer to a chemical processing environment to chemically process the wafer" as recited in claims 1, 18, 19, 53-54, 56-61.

The dependent claims not specifically address share the same indefiniteness as they depend from rejected base claims.

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✓  
2. Claims 1-13, ~~17~~ and 53-58 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

✓  
In claim 1, it is unclear what "a wafer holder" represents. Is it referred to "a chuck (40)" as shown in figure # 3 or is it referred to "an intermediate member (60)". In claim 8, the limitation of "wherein the wafer holder comprises a chuck configured to receive a calibration wafer and a production wafer" is still unclear. From Applicant's remark, it appears that the chuck receive either calibration wafer or a production wafer but not at the same time. Therefore, the limitation mentioned above is inaccurate. In claim 9, it is unclear whether both the wafer holder and the calibration wafer include vacuum chambers.

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(12)

Furthermore, it is unclear what "a vacuum chamber" represents. Is it shown in any of drawings? From Applicant's remark, the holder is referred to element (12) and this element does not have "vacuum chamber", therefore the limitation of claim 9 is also inaccurate. In claim 53, it is unclear what on the first and second surfaces in order to have an electrical interconnect (44) configured to electrically couple the first surface and the second surface". In claim 54, the limitation of "wherein the wafer holder comprises a chuck configured to receive a calibration wafer and a production wafer" is unclear. Does the chuck receive both calibration wafer and a production wafer at the same time? Furthermore, it appears that this limitation is inaccurate. In claim 56, it is unclear whether both the wafer holder and the calibration wafer include vacuum chambers. Furthermore, it is unclear what "a vacuum chamber" represents. Is it shown in any of drawings? In claims 57-58, it is unclear what "a work piece holder" represents. Is it shown in any of drawings? Is it referred to "intermediate member (60)"? If it is, this member does not have a vacuum chamber. In claim 58, it is also unclear what "a conductive column" represents. Is it shown in any of drawings?

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3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 53-58 (insofar as understood) are rejected under 35 U.S.C. 102(b) as being anticipated by Smith (5,475,317).

As to claims 53-58, Smith discloses a singulated bare die tester having a workpiece holder or a chuck (4,12) for receiving an electronic workpiece (2) and for supporting an electronic device (2), an electrical coupling (12a) for electrically coupling the electrical coupling (2a) of the electronic device workpiece (2) and communicated signals between the workpiece and the workpiece holder (12). As to claim 58, the device of Smith also discloses a contact plate (4,4a,4b).

5. Claims 1 and 18 (insofar as understood) are rejected under 35 U.S.C. 102(b) as being anticipated by Nagayama et al (Pat # 5,378,311).

As to claims 1 and 18, Nagayama et al disclose an apparatus having a wafer holder (51) for receiving a wafer (54). It is noted that the holder includes electrical couplings (57-63) for coupling to the wafer. Furthermore, it appears that the wafer inherently has electrical coupling in which the electrical couplings of the holder connected thereto.

6. Applicant's arguments with respect to claims 1-13, 18-26 and 53-61 have been considered but are moot in view of the new ground(s) of rejection.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).


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Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINH P. NGUYEN whose telephone number is (703) 305-4914.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4900.

  
VINH P. NGUYEN  
PRIMARY EXAMINER  
ART UNIT 2858  
06/21/2001